

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention passed by the Collector & District Magistrate,YSR District, against Sri Gangi Reddy Rajesh Kumar Reddy @ Khajipet Chinna, S/o. Obula Reddy, aged 29 years, Khajipet Mandal, YSR District – Representation – Rejected.

GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

G.O.Rt.No 373

Dated:24.01.2012
Read the following:-

- 1.Order of detention in Ref.C1/696/M/2011, dt. 21-10-2011 of the Collector & District Magistrate, YSR District, Kadapa
- 2.G.O.Rt.No.4973,G.A. (L&O-II) Dept., dt.1-11-2011.
- 3.G.O.Rt.No.5804,G.A. (L&O-II) Dept.,dt.27-12-2011.
- 4.Representation of Sri Gangireddy Rajesh Kumar Reddy,
Dated:20-12-2011.

O R D E R:

In the reference first read above, the Collector & District Magistrate, YSR District, Kadapa has passed detention order against Sri Gangi Reddy Rajesh Kumar Reddy @ Khajipet Chinna, S/o. Obula Reddy, aged 29 years, Khajipet Mandal, YSR District, under Act No.1 of 1986, as he had been repeatedly indulged in illicit cutting, storing, transportation of Red Sanders heartwood from the reserve forest and transporting / smuggling the same, thereby causing damage to the public property and great loss to the Nation. In the G.Os. second and third read above, Government have approved and confirmed the said order of detention, passed by the detaining authority, duly following the provisions laid down under Act 1 of 1986.

2. In the reference 4th read above, the detenu has made a representation to the Government, contending inter-alia that the fact of releasing him on bail with conditions was not reflected in the grounds of detention; that detention order was passed only after he was released on bail in the last case on 21-10-2011; that in all the three cases registered against him, he was not present at the scene of offence and that on the basis of confession made by the co-accused he was implicated as accused showing him as a purchaser of the Forest produce and therefore requested for his release.

3. The representation of the detenu has been examined, and it is observed that the detaining authority i.e. the C & DM, Kadapa has passed the detention order against the detenu, duly considering his involvement in the incidents referred to in the grounds of detention; that the detenu has not disputed the number of cases and the nature of offences involved by him. His contention that he was not apprehended in any of the cases is not correct, as the detenu was apprehended and caught red handedly on 7-10-2011 in Cr.No.137/2011of Khajipet P.S. In other cases the detenu has been instigating and involving the co-accused and conveniently

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escaping without being apprehended, hence, based on the confessions made by the co-accused who are caught red handedly at the scene of offence, the cases were booked against the detenu. In all the three cases mentioned in the grounds of detention, cases were booked against the individual under section 379 of I.P.C., besides under various provisions of Forest Act, 1967 and Sandal Wood Red Sanders Transit Rules, 1969 and the said offences are punishable under Chapter XVII of IPC, hence his activities fall under and with in the meaning of "goonda" as defined under section 2(g) of Act 1 of 1986; The other contention of the detenu that the detention order was issued due to political rivalry is vague and baseless as he did not furnish any details of political rivalry, involvement of persons/parties in the issue in support of his contention. With regard to his another contention that he was released in earlier P.D. Case by the Hon'ble High Court., it is observed that earlier the Collector & District Magistrate, YSR District, Kadapa passed the detention order on 28-1-2011 for his involvement in series of (7) cases. The same was approved and confirmed, as per the opinion of the Advisory Board, to whom his case was referred. However, in pursuance of the Hon'ble High Court's orders, in WP No.6298/2011, he was released from the detention. The detaining authority preferred SLP before the Supreme Court and the same is pending. The earlier P.D. Case has no bearing over the present P.D. Case, since the cases involved in the earlier detention are no way connected with the cases now referred in the grounds of detention of the present case. Having fully aware of the fact of earlier detention of the detenu and his subsequent release as per the orders of Hon'ble High Court, the Collector & District Magistrate, YSR District has passed the present order of detention, as the applicant did not mend his illegal activities and resorted to similar offences of illegal cutting, storing, transportation/smuggling of Red sander heart wood, thereby corroding the financial wealth of the nation. The grounds raised by the detenu are therefore, devoid of merits, deserve no consideration and the same are liable for rejection.

4. Accordingly, Government hereby reject the representation of Sri Gangi Reddy Rajesh Kumar Reddy @ Khajipet Chinna, S/o. Obula Reddy, aged 29 years, Khajipet Mandal, YSR District, for revocation of his detention.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To

Sri Gangi Reddy Rajesh Kumar Reddy @ Khajipet Chinna,
S/o. Obula Reddy, Khajipet Mandal, YSR District, detenu
through the Sudt., Central Prison, Cherlapalli, R.R. District.

Copy to-

The Superintendent, Central Prison, Cherlapalli, Ranga Reddy District
(with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government).

The Collector and District Magistrate, YSR District, Kadapa.
The Superintendent of Police, Kadapa, YSR District.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER (SC)